

Negotiations Reach Successful Completion!

Since the last issue of LER Connections, in December, the County reached agreement with all three County unions: MCGEO, IAFF and FOP. All three negotiations completed without a need for arbitration, the first time that has happened in recent years. The negotiations with IAFF were for a full term contract and we agreed to a new three-year agreement. The negotiations with MCGEO and FOP were, primarily, economic reopeners. However, the County and MCGEO agreed to a new three-year agreement, agreeing to an early termination of the current agreement. And, the County and FOP agreed to extend their two-year agreement an additional year.

Did you know...

If the recent negotiated settlements are approved by Council, next year will be first year in **8** years that we are not negotiating with MCGEO

Save the Date



- April 18, 2013 –Training: *Managing Conflicts in a Union Environment* (1:00 – Redbrick Courthouse)
- April 23, 2013 –Training: *Preventing Workplace Harassment* (1:00 – UpCounty)
- May 22, 2013 –Training: *Managing Conflicts in a Union Environment* (1:00 – Redbrick Courthouse)
- June 6, 2013 –Training: *Managing Conflicts in a Union Environment* (1:00 – Redbrick Courthouse)
- June 26, 2013 –Training: *Introduction to Managing in a Union Environment* (1:00 – EOB Auditorium)

Please remember to register online!

Arbitration & Grievance News

In recent Arbitration decisions:

Since the last LER Connections, we have received one arbitration award involving MCGEO grievances.

An arbitrator issued a split decision in a matter where the County dismissed an employee for failing to follow proper procedures that resulted in serious consequences. The Union alleged that the employee had followed procedures and that the dismissal was not for “just cause.” The arbitrator concluded that the employee’s actions were worthy of discipline, although not dismissal, and ordered the employee to return to County employment but with a 30-day suspension without pay.

A recent CAO decision:

The CAO issued a split decision in a grievance where a department division denied an employee’s request for annual leave based upon both operational need and a policy disallowing annual leave requests for more than a two-week period. The CAO held that the department was justified in denying the leave based upon legitimate operational need. However, policies restricting the period that any employee in a division or department can request annual leave violate the CBA. Annual leave requests can be for any period, must be considered on a case-by-case basis and can only be denied for legitimate operational need.

~Labor & Employee Relations Team~

Labor Relations: Sarah Cook, Lasantha Dahanaike, George Lacy (Police Labor Manager), Jackie LaRocca, Jeremy Milewski, Stuart Weisberg, Teresa White, Mike Woodruff, Steve Sluchansky (L/ER Manager)

EEO: Angela Washington (EEO Officer), and Patricia Miller

Disability Program Manager: Ricky Wright

Executive Office Building. Office of Human Resources. 7th Floor. 101 Monroe Street. Rockville MD 20850

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County/MCGEO Agree to New Conflict Management Process

The recent negotiations between the County and MCGEO resulted in the development of an innovative new process to assist employees and supervisors in **addressing conflict and fostering a professional and productive work environment**. The new program is located at (new) Article 57 and is called the **Conflict Facilitation Process (CFP)**. The new process is a **two-year pilot program** and is intended to replace Article 52, a process to address conflict that both parties believed needed improvement.

The new process has several key aspects:

- Facilitation will usually be conducted by a **dual/joint County/MCGEO facilitation team**. Each team will consist of one facilitator appointed by the County plus one facilitator appointed by MCGEO. The facilitators will act as neutrals, not advocates, using their skills and the process to facilitate the parties to a resolution of the conflict. **Either an employee or a supervisor may request to access the process.**
- While the process goes into effect with the new CBA on July 1, 2013, the **new process will not be implemented until several steps are first accomplished**: the identification and training of the facilitation group, and the development of operating guidelines by the County-wide Labor Management Relations Committee (LMRC). The LMRC will identify issues that are appropriate for the process, e.g., communication issues, and issues that are not appropriate for the process, e.g., performance issues.
- The County and MCGEO made it clear during negotiations that they intend to use this process in good faith, to productively address conflict and to not use the process to harass or intimidate supervisors for managing responsibly.

We will continue to update you on the process as it develops.

TOP 10 COUNTY/MCGEO CONTRACT CHANGES

Although the recent negotiations between the County and MCGEO were predominantly on economic reopener issues, we were also required to negotiate on a number of “non-economic” matters. The following list captures the most significant changes on those issues.

1. The County and MCGEO will collaborate to develop and administer a “climate” survey process in all departments.
2. New two-year pilot conflict facilitation process (new Article 57) that provides dual facilitation of conflict between employees and supervisors (see article elsewhere in this issue).
3. Article 52 now held in abeyance while new Article 57 in effect.
4. When County changes work schedules of bargaining unit employees, reasonable advance written notice must be provided to affected employee(s) and Union.
5. Employees’ normal work schedule must include, whenever practicable, two consecutive days off, unless work load and operational need require otherwise.
6. Prior to transferring an employee, the employee must be given 30 days advance notice, unless operational need requires otherwise, and include the reason for the transfer.
7. Employees may request temporary delay of transfer, only related to documented dependent care or enrollment in current educational course. Such requests may not be unreasonably denied.
8. Individual classification studies resume with a maximum of 50 studies each year.
9. The County and MCGEO identified specific steps to follow in establishing a new and robust union-management wellness program.
10. The current three-year Contract will be terminated early with the termination date June 30, 2013. The new CBA goes into effect July 1, 2013 for a three-year period.

One County/Management Bargaining Team Member's Perspective on Negotiations

Ivonne Gutierrez-Anglin, DOCR's HR Manager, participated in her first County-MCGEO negotiations. In addition to being a full member of the County bargaining team, she also participated in the bargaining subcommittees that addressed the issues of conflict facilitation between employees and supervisors and work schedules. LER Connections asked for her impressions of her experience and the process.

Q: Were there any surprises in the process, anything that you did not expect?

A: No surprises because I went into it without any preconceived notions or expectations. It was my goal to be an active participant in understanding perceptions that cause differences and misunderstandings and move forward in changing or creating language that would give balance to an issue that mattered to both parties.

Q: What did you find the most satisfying aspect of the bargaining process?

A: The focus and determination of the subcommittees to understand the issues from both perspectives (employee and management) and working together to reach a solution that would have positive results for all parties.

Q: What did you find the most frustrating aspect?

A: While it was frustrating to wordsmith the language as a group because a word can have certain meaning base on how we read text - it was important to pick the right words that would impart what the parties were attempting to communicate. In the end, the cadre of subcommittee members worked well in finding the right vocabulary.

Q: What advice would you give someone who would be on the team for the first time?

A: Go into it with no preconceived notions or expectations; leave your titles behind; be open to others' perceptions of an issue; work together for the greater good; recognize that the County has charged us with the task of producing a contract that works for everyone and that we all have to approach the process in good faith.

Q: Would you do it again?

A: Absolutely.

Get to know the Specialist: Jackie LaRocca

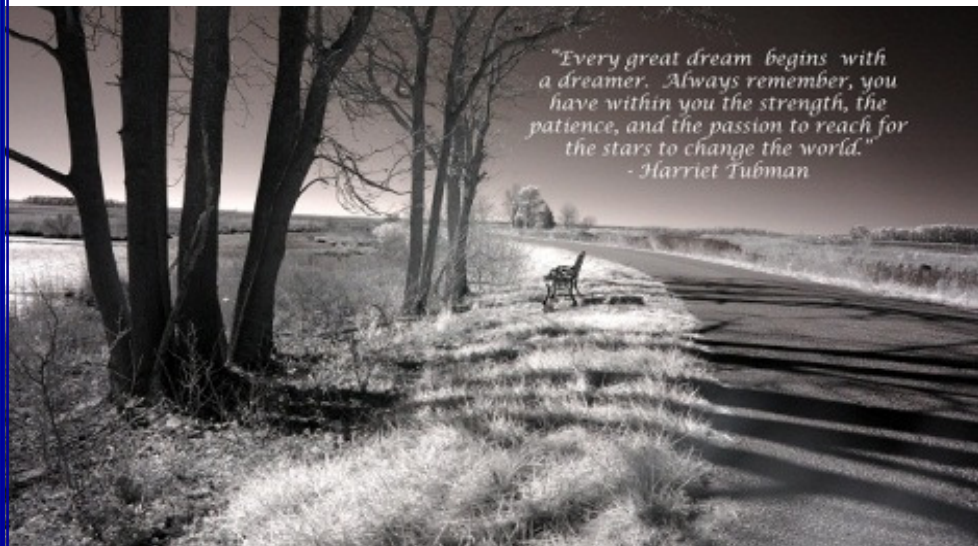
[Each issue, we will highlight a member of the L/ER Team.]

Jacqueline Quinn LaRocca is a HR Specialist on the Labor and Employee Relations Team in OHR. Jacqueline is currently assigned full-time to Legal and Labor Relations in the Department of Police. Jacqueline graduated with a B.A. in Psychology from the University of Maryland, earned a Master in Social Work from Catholic University of America in Washington D.C, and earned a Master in Human Resources & Training at Amber University in Texas. Jacqueline also obtained her Senior Human Resource Professional certification.



"Every great dream begins with a dreamer. Always remember, you have within you the strength, the patience, and the passion to reach for the stars to change the world."
- Harriet Tubman

Jacqueline is also a professional photographer. She graduated from the professional photography program at the Washington School of Photography. Her most recent project was "In Search of the Spirit of Harriet Tubman," which exhibited at the Montgomery County Government Black History Month celebration. The picture on the left was taken by Jacqueline.



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Snapshots from Negotiations



Bargaining concludes with OHR Director Joseph Adler and MCGEO President Gino Renne signing the final Memorandum of Understanding. Mediator/Arbitrator Sean Rogers assisted the parties.



County and IAFF representatives prepare to sign IAFF Agreement
Management: Joseph Adler, Jeremy Milewski, Bill Scott, Chief Richard Bowers
IAFF: Mark Davies, John Sparks, Jeff Buddle

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Thank you to our FY 2013 Bargaining Teams!

MCGEO Bargaining Team:

Dan Hibbert, DOT
Anita Williams, HHS
Bill Griffiths, DGS
Laura Lanham, Police
Ivonne Gutierrez-Anglin, DOCR
Chris Calantonio, Sheriff
Sarah Cook, OHR

IAFF Bargaining Team:

Ed Radcliffe, MCFRS
Mike Leigh, MCFRS
Bill Scott, Consultant, Lead Negotiator
Jeremy Milewski, OHR

FOP Bargaining Team:

Assistant Police Chief Russell Hamill
Lt. Laura Lanham
Lt. James Humphries
George Lacy, Lead Negotiator
Jackie LaRocca, OHR

All Teams:

Silvia Kinch, OCA
Lori O'Brien, OMB
Belinda Fulco, OHR
Joseph Adler, OHR
Steve Sluchansky, OHR

